

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER CH920020037US1 U.S. APPLICATION NO. (If known), 35 U.S.C. 371
INTERNATIONAL APPLICATION NO. PCT/IB2003/05129	INTERNATIONAL FILING DATE 13 November 2003	PRIORITY DATE CLAIMED 20 December 2002
TITLE OF INVENTION Surface Treatment		
APPLICANT(S) FOR DO/EO/US International Business Machines Corporation		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and Other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and 21 indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office(RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ are attached hereto
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Unexecuted Declaration and Power of Attorney

this collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37CFR 1.5) 10/539726		INTERNATIONAL APPLICATION NO. PCT/IB2003/05129		ATTORNEY'S DOCKET NUMBER CH920020037US1	
				JC17 Rec'd PCT/PTO 20 JUN 2005	
21. The following fees are submitted:					
___ a) Basic National fee				\$300.00	\$ 300.00
___ b) Examination fee				\$100.00/\$200.00	\$ 200.00
___ c) Search fee				\$100.00/\$400.00/\$500.00	\$ 400.00
					\$900.00
TOTAL OF ABOVE CALCULATIONS					
Total sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
22-100	0/50 =			x	\$ 0.00
				\$250.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from earliest claimed priority date (37 CFR 1.49(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	23 - 20 =	3	x \$50.00		\$ 150.00
Independent claims	1 - 3 =	0	x \$200.00		\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 150.00	
___ Applicant claims small entity status. See 37CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$1,050.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from earliest claimed priority date (37CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$0.00	
Fee for recording the enclosed assignment (37CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37CFR 3.28, 3.31), \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$0.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
Required Fee of \$1050.00 has been previously paid on June 16, 2005					

- a. ___ A check in the amount of \$_____ to cover the above fee is enclosed
- b. **XX** Please charge my Deposit Account No. 09-0468 in the amount of \$0 to cover the filing fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Deposit Account No. 09-0468. A duplicate copy of this sheet is enclosed.
- d. ___ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: _____

Satheesh K. Karra
 IBM Corporation
 Intellectual Property Law Dept
 P.O. Box 218
 Yorktown Heights, NY 10598

K. Satheesh 6/20/05
 SIGNATURE
Satheesh K. Karra
 NAME
40,246
 REGISTRATION NUMBER

10/539726

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC17 Rec'd PCT/PTO 20 JUN 2005
Docket Number: CH920020037US1

In re application of: Michel, et al.

Serial No.: Filed Herewith

Examiner: Not Yet Assigned

Filed: Herewith

Group Art: Not Yet Assigned

For: SURFACE TREATMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

Express Mail Label Number EV722426465US

Date of Deposit June 16, 2005

I hereby certify that the attached paper or fee

Patent Application Transmittal Letter (original and one copy)
Patent Application
Formal Drawings (8 Sheets)
Declaration and Power of Attorney
Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Barbara A. Miuccio

(Name)



Signature

- Note:** Each paper must have its own certificate and the "Express Mail" label number as a part thereof or attached thereto. When, as here, the certification is presented on a separate sheet, that sheet must (1) be signed and (2) fully identify and be securely attached to the paper or fee it accompanies. Identification should include the serial number and filing date of the application as well as the type of paper being filed, e.g. complete application, specification and drawings, responses to rejection or refusal, notice of appeal, etc. If the serial number of the application is not known, the identification should include at least the name of the inventor(s) and the title of the invention.
- Note:** The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail". Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

10/539726

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Amontov et al.

Date: June 20, 2005

Serial No.: To be assigned

Docket No.: CH920020037US1

Filed : Herewith

For: METHOD AND APPARATUS SURFACE TREATMENT (Amended)

The following documents are submitted to USPTO on June 20, 2005. Please stamp and return this paper to us.

1. Copy of International Application as filed (specification: 22 pages including claims and abstract)
2. Number of sheets of drawings: 8
3. Preliminary Amendment
4. Letter in support of the US National Phase
5. Papers filed on June 16, 2005
6. Declaration

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, NY 10598

Tel.: (914) 945-2488

10/539726

JC17 Rec'd PCT/PTO 20 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Amontov et al.

Date: June 20, 2005

Serial No.: To be assigned

Docket No.: CH920020037US1

Filed : Herewith

For: METHOD AND APPARATUS SURFACE TREATMENT (Amended)

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

LETTER

Sir:

This letter is being submitted in support of the National Phase Application for the docket noted above. June 20, 2005 is the deadline for entering National Phase in the US for the above-noted application which claims priority from PCT Application No.

PCT/IB2003/05129 filed on November 12, 2003 and published as WO 2004/056470 on July 8, 2004, which claims priority from European Application No. 02028555.7, filed on December 20, 2002.

On June 16, 2005, Applicants filed papers to satisfy the US National Phase requirements of the above-noted application and paid the required fee. Applicants have not yet received Application Serial Number for the June 16, 2005 filing. The papers including Express Mail Receipt as filed on June 16, 2005 are enclosed herewith. However, Applicants erroneously filed the June 16, 2005 papers without claiming priority to the above-mentioned PCT Application.

In an abundance of caution, Applicants are resubmitting papers for US National Phase filing. Applicants request that the fee paid on June 16, 2005 be diverted to satisfy the fee requirements for the US National Phase papers being filed with this letter.

DOCKET NUMBER: CH920020037US1

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JC17 Rec'd PCT/PTO 20 JUN 2005

Alternatively, please consider letter as a petition under 37 C.F.R. 1.181, or 1.182, or 1.183 to convert the application filed on June 16, 2005 to a US National Phase Application claiming priority from PCT Application No. PCT/IB2003/05129 filed on November 12, 2003 and published as WO 2004/056470 on July 8, 2004, which claims priority from European Application No. 02028555.7, filed on December 20, 2002.

Applicants would promptly provide to the concerned Examiner the Application Serial Number information for the June 16, 2005 filing upon receipt from the USPTO.

Please charge any petition fees for this application to account no. 09-0468.

Respectfully submitted,

By K. Satheesh K. Karra

Satheesh K. Karra

Reg. No. 40,246

June 20, 2005

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, NY 10598

Tel.: (914) 945-2488

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

DOCKET NO. CH920020037US1
Date: June 16, 2005

10/539726

JC17 Rec'd PCT/PTO 20 JUN 2005

Sir:

Transmitted herewith for filing is the Patent Application of:

Inventor(s): Bruno Michel, Sergey Amontov, Emmanuel Delamarche

ASSIGNEE NAME: International Business Machines Corporation

ASSIGNEE RESIDENCE: Armonk, New York

For: SURFACE TREATMENT

Enclosed are:

X 8 Sheets of Formal Drawings.

X Executed Declaration and Power of Attorney is attached to the application.

The filing fee has been calculated as shown below:

FOR:	(Col. 1)	(Col. 2)	OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FILING FEE UTILITY	23	20	x \$ 50 =	\$300.00
UTILITY SEARCH FEE	1	3	x \$200 =	\$500.00
UTILITY EXAMINATION FEE	1	3	x \$200 =	\$200.00
TOTAL CLAIMS	23 - 20 =	3	x \$ 50 =	\$150.00
INDEP CLAIMS	1 - 3 =	0	x \$200 =	\$0.00
____ MULTIPLE DEPENDENT CLAIM PRESENTED			+ \$360 =	\$0.00

If the difference in Col. 1 is less than zero,
enter "0" in Col. 2.

TOTAL \$ 1150.00

X Please charge my Deposit Account No. 09-0468 in the amount
of \$1150.00.

X The Commissioner is hereby authorized to charge payment of the following fees
associated with this communication or credit any overpayment to Deposit
Account No. 09-0468. A duplicate copy of this sheet is enclosed.

x Any additional filing fees required under 37 CFR 1.16.

x Any patent application processing fees under 35 CFR 1.17.

Respectfully submitted,

By K. Satheesh K. Karra 6/16/05
Atty: Satheesh K. Karra
Registration No.: 40,246
Tel. (914) 945-2488

IBM CORPORATION
INTELLECTUAL PROPERTY LAW DEPT.
P.O. BOX 218
YORKTOWN HEIGHTS, NY 10598
Fax: 914-945-3281

Filing: Patent Application Transmittal Form (original and one copy); Patent Application; Formal Drawings (8 sheets); Declaration and Power of Attorney; and Express Mail Certificate.

10/539726

JC17 Rec'd PCT/PTO 20 JUN 2005

Re application of: Michel, et al.

For: Adaptive Surface Treatment

Serial No.: Filed Herewith

Docket No.: CH920020037US1

Attorney: SKK

No. of pages of specification & claims 21

No. of sheets of drawings 8

All fees are charged to our Account No. 09-0468



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